

CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Sherri Lightner • First District

COUNCIL PRESIDENT PRO TEM

Marti Emerald • Ninth District

COUNCIL MEMBERS

Lorie Zapf • Second District

Todd Gloria • Third District

Myrtle Cole • Fourth District

Mark Kersey • Fifth District

Chris Cate • Sixth District

Scott Sherman • Seventh District

David Alvarez • Eighth District

**Andrea Tevlin
Independent
Budget Analyst**

**Jan Goldsmith
City Attorney**

**Liz Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building
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Tuesday, August 2, 2016

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, AUGUST 2, 2016, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

NOTE: The public portion of the meeting will begin at 9:00 a.m. for public comment on Closed Session items. The City Council will meet in Closed Session this morning from 9:00 a.m. — 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk. (Rev. 7/28/16)

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7564. Internet access to the agenda is available at:
<http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF COUNCIL MINUTES

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

06/13/2016
06/14/2016
06/20/2016
06/21/2016

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed are considered to be routine, and the environmental documents have been considered. These items are indicated on the docket by a preceding asterisk (*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak from prior to the start of the meeting.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

- * ITEM-50: Reimbursement and Park Development Agreement with Sunroad Centrum Partners for Centrum Neighborhood Park Enhancements (Project No. RD-16005). (Kearny Mesa Community Area. District 6.)

ITEM DESCRIPTION:

Reimbursement and Park Development Agreement with Sunroad Centrum Partners for enhancements to Centrum Neighborhood Park (Project No. RD-16005). Waiver of Consultant Services Selection process under San Diego Municipal Code Section 22.3202, and Council Policies 300-07 and 100-10.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/19/2016, Item 51. (Council voted 8-0. Councilmember Zapf not present):

(O-2016-162)

Authorizing the Mayor to execute, for an on behalf of the City, a Reimbursement and Park Development Agreement with Sunroad Centrum Partners, LP, for enhancements to Centrum Neighborhood Park and an associated Amendment to the Centrum Neighborhood Park General Development Plan, in the Kearny Mesa Community, under the terms and conditions set forth in this Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,000,000 from CIP No. RD-16005, Centrum Park Neighborhood Park Improvements, Fund No. 200636, Developer's Contribution Fund-CIP, for enhancements to Centrum Neighborhood Park and an associated Amendment to the Centrum Neighborhood Park General Development Plan, contingent upon the Chief Financial Officer furnishing one or more certificate(s) certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Chief Financial Officer upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves;

Declaring that San Diego Municipal Code Section 22.3202 and Council Policy 300-07, Council Policy 100-10, and Administrative Regulation 25.60, regarding consultant services selection, are hereby waived with respect with the following consultants:

(1) Schmidt Design Group for landscape architecture.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

- * ITEM-51: Request to exempt 1.0 Program Manager in the Economic Development Department from the Classified Service.

ITEM DESCRIPTION:

This action is to exempt 1.0 Program Manager position in the Economic Development Department from the Classified Service of the City of San Diego. Under the direction of the Economic Development Director, this position will be responsible for overseeing the newly created Community Investment Division's Successor Agency Section and providing leadership and coordination for the City's Successor Agency Recognized Obligations Payment Schedule implementation and all related duties.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/19/2016, Item 52. (Council voted 8-0. Councilmember Zapf not present):

(O-2016-159)

Receiving and Reviewing a Memorandum from Personnel Director Hadi Dehghani, dated June 8, 2016, which documents that, on June 2, 2016, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department to exempt one Program Manager position from the Classified Service. The Program Manager will oversee the newly created Community Investment Division's Successor Agency Section, and will be responsible for the assets, rights, and obligations previously assigned to the Redevelopment Agency under the California Community Redevelopment Law;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the City Council exempts from the Classified Service and declares to be in the Unclassified Service of the City one Program Manager position, performing the duties set forth in the June 8, 2016, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council, and in this Ordinance.

- * ITEM-52: Revision of Language in the San Diego Municipal Code (SDMC) in Chapter 2, Article 2, Division 8: Debarment. (Citywide.)

ITEM DESCRIPTION:

This action would allow for revisions in Chapter 2, Article 2, Division 8, of the San Diego Municipal Code (SDMC) regarding debarment. The proposed revisions address performance evaluations, clarify the suspension and debarment process, and require an appeal of a permanent debarment determination before an independent hearing officer instead of the City Council.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was amended by Council action at the time of introduction on 7/19/2016, Item 330. (Council voted 9-0):

(O-2017-5 Rev. Cor. Copy 3)

Amending Chapter 2, Article 2, Division 8 of the San Diego Municipal Code by retitling and amending Section 22.0801; by amending Sections 22.0802 and 22.0803; by retitling and amending Sections 22.0804, 22.0805, and 22.0806; by amending Section 22.0807; by retitling and amending Sections 22.0808 and 22.0809; by retitling and amending Sections 22.0810, 22.0811, 22.0812, 22.0813, and 22.0814; by adding new Sections 22.0815, 22.0816, 22.0817, 22.0818, and 22.0819; by retitling and amending Section 22.0820; and by deleting Sections 22.0821, 22.0822, 22.0823, 22.0824, 22.0825, and 22.0826, all related to debarment.

* ITEM-53: Request to exempt five (5) positions from the Classified Service. (Citywide.)

ITEM DESCRIPTION:

This action is to exempt five (5) positions from the Classified Service.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 7/19/2016, Item S502, Subitems A, B, C, and D. (Council voted 8-0. Councilmember Zapf not present):

Subitem-A: (O-2017-9)

Exempting one Program Manager position under the Assistant Chief Operating Officer from the Classified Service.

Subitem-B: (O-2017-10)

Exempting two Program Coordinator positions in the Human Resources Department from the Classified Service.

Subitem-C: (O-2017-11)

Exempting one Program Coordinator position in the Personnel Department from the Classified Service.

Subitem-D: (O-2017-12)

Exempting one Program Manager position in the Office of the City Treasurer from the Classified Service.

* ITEM-54: Single-Use Carryout Bag Reduction Ordinance.

ITEM DESCRIPTION:

Request certification of the Environmental Impact Report for Project No. 412659 (City of San Diego Single-Use Carryout Bag Reduction Ordinance), adoption of Findings, a Statement of Overriding Considerations, and a Mitigation, Monitoring and Reporting Program for the Single-Use Carryout Bag Reduction Ordinance; and adoption of the Single-Use Carryout Bag Reduction Ordinance to restrict the distribution of plastic and paper single-use carryout bags, and promote the use of reusable bags.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/19/2016, Item 332, Subitem A. (Council voted 6-3. Councilmember Kersey-nay, Councilmember Cate-nay, Councilmember Sherman-nay):

(O-2016-64)

Amending Chapter 6, Article 6, of the San Diego Municipal Code by adding new Division 8, Sections 66.0801, 66.0802, 66.0803, 66.0804, 66.0805, 66.0806, 66.0807, 66.0808, 66.0809, and 66.0810 relating to reducing the use of plastic and paper single-use carryout bags and promoting the use of recyclable and reusable carryout bags.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Authorization to execute a Contract with Ziksana Consulting Inc. (Bid No. 10066915-16-H) for As-Needed Consulting Services for the Public Utilities Department Leadership Development Program. (Citywide.)

ITEM DESCRIPTION:

This action is to approve an Agreement with Ziksana Consulting Inc., in the amount of \$490,780. The Agreement will provide a specialized utility skill-building and culture-improving Leadership Development Program (LDP) to invest in the Department's workforce and culture.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-749)

Authorizing the Mayor, or his designee, to execute an Agreement with Ziksana Consulting Inc., to provide As-Needed Consulting Services for the development and delivery of a Public Utilities Department Leadership Development Program, for an amount not to exceed \$490,780 over a five-year (5) Contract duration, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend a cumulative amount not to exceed \$490,780, of which \$240,482 is from Water Utility Operating Fund 700011, \$88,341 is from Muni Sewer Revenue Fund 700000 and \$161,957 is from Metro Sewer Utility Fund 700001 for the purpose of funding this Agreement, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total amount not to exceed for the Ziksana Consulting Inc. Contract for As-Needed Consulting Services is \$490,780. Funds are, or will be, available in the amount of \$240,482 in the Water Utility Operating Fund 700011, \$88,341 in the Muni Sewer Revenue Fund 700000, and \$161,957 in the Metro Sewer Utility Fund 700001, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer. Services to be provided on an as-required basis.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on June 23, 2016.

ACTION: Motion by Councilmember Cate, second by Councilmember Gloria, to recommend Council adopt the resolution and approve the Agreement.

VOTE: 4-0; Alvarez-yea, Cate-yea, Sherman-yea, Gloria-yea.

Crane/Gomez

Primary Contact\Phone: Bennett Lewis\858-654-4211, MS 901
Secondary Contact\Phone: Ann Scott-Hurst\858-654-4426, MS 901
City Attorney Contact: Leone, Christine M.

- * ITEM-101: Ratification of forty (40) Public Works Emergency Sole Source Contracts. (Uptown, Peninsula, Navajo, Point Loma, Pacific Beach, Mission Bay Park, Midway, Mira Mesa, La Jolla, Ocean Beach, Encanto, Navajo, College, Sorrento Valley, Linda Vista, Scripps Miramar Ranch, University, Kensington-Talmadge, Linda Vista, Torrey Pines, Mid-City Eastern, Serra Mesa, Greater North Park, and Mission Valley.)

ITEM DESCRIPTION:

Requesting ratification of forty (40) Public Works Emergency Sole Source contracts that were initiated to address various infrastructure damage caused by the El Niño storms or other factors. This action covers thirty-one (31) contracts awarded in FY 16 and nine (9) in previous fiscal years.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-51)

Ratifying the emergency infrastructure repair contracts necessitated by the El Niño weather conditions and other emergency situations, as listed in Attachment A.

STAFF SUPPORTING INFORMATION

FISCAL CONSIDERATIONS: Funding for these contracts was previously approved and certified as part of the emergency contract execution process. There is no financial impact with this action. The only exceptions are four projects currently under construction, the Cardinal Drive Storm Drain Replacement, the Catalina Transmission Pipeline Emergency Repairs, the East Talmadge Drive Storm Drain Emergency Replacement and the Emergency Repair of Pump Station 2. Additional funding will be certified in the future to address unforeseen conditions.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard and approved at the Environmental Committee meeting on July 21, 2016, to move forward to Council hearing for approval.

ACTION: Motion by Councilmember Gloria, second by Councilmember Sherman, to adopt the resolution.

VOTE: 4-0; Alvarez-yea, Gloria-yea, Cate-yea, Sherman-yea.

Nagelvoort/Gomez

Primary Contact\Phone: James Nagelvoort\619-533-5100

Secondary Contact\Phone: Al Rechany\619-533-3620

City Attorney Contact: Widgerow, Davin A.

- * ITEM-102: Resolution Request for Completing a Basin Boundary Modification for the San Diego Formation Groundwater Basin with the California Department of Water Resources.

ITEM DESCRIPTION:

The Public Utilities Department requests that City Council adopt a resolution in accordance with the Department of Water Resources (DWR) requirement for the newly adopted Sustainable Groundwater Management Act (SGMA). The resolution will formally initiate a basin boundary modification request for the San Diego Formation (SDF) basin.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-36)

Authorizing the Mayor to sign a resolution to complete a Basin Boundary Modification for the San Diego Formation Groundwater Basin with the California Department of Water Resources.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on July 21, 2016.

ACTION: Motion by Councilmember Sherman, second by Councilmember Cate, to adopt the resolution.

VOTE: 4-0; Alvarez-yea, Gloria-yea, Cate-yea, Sherman-yea.

Jones-Santos/Gomez

Primary Contact\Phone: Lan Wiborg\619-533-4112, MS 901

Secondary Contact\Phone: George Adrian\619-533-4680, MS 901

City Attorney Contact: Raymond C. Palmucci

- * ITEM-103: Side Letter Agreement Between the City of San Diego and the San Diego Police Officers Association Related to Eligibility for Industrial Disability Retirement for Mental or Nervous Disorder Caused by a Violent Attack.

ITEM DESCRIPTION

Per the Memorandum of Understanding (MOU) between the City and the San Diego Police Officers Association (SDPOA), the City must take steps to restore a provision in the MOU related to Industrial Disability for police officers who suffer a permanent mental or nervous disorder as a result of a violent attack that causes great bodily harm. One of the steps is to submit the matter for a Charter Section 143.1 vote of the electorate. This action approves a Side Letter Agreement to amend the MOU to change the previously approved election date of November, 2016, to June, 2018.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-45)

Approving and ratifying the Side Letter Agreement to the Memorandum of Understanding (MOU) between the City and San Diego Police Officers Association (SDPOA), which amends Article 44, Section G.3. of the MOU related to the reinstatement of the industrial disability retirement benefit for police officers who suffer a permanent mental or nervous disorder as a result of a violent attack that causes great bodily harm to the officer, as specified in the Side Letter Agreement, under the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There are no fiscal impacts associated with the adoption of the Resolution to approve the Side Letter Agreement. Pursuant to Charter Section 143.1(b), prior to the proposed amendment being placed on the ballot, an actuarial study of the cost due to the benefit changes will be prepared. A summary of the actuarial study will be published in the ballot pamphlet.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Resolution R-310268 (date of final passage March 2, 2016), Approving a Side Letter Agreement with San Diego Police Officers Association (SDPOA).

von Kalinowski/Villa

Primary Contact\Phone: Karen DeCrescenzo\619-235-5802

Secondary Contact\Phone: Judy von Kalinowski\619-236-6313

City Attorney Contact: Story Parks, Roxanne

* ITEM-104: 1st Amendment to Agreement with Schmidt Design Group. (Citywide.)

ITEM DESCRIPTION:

This action will amend the As-Needed Landscape Architectural Services Contract with Schmidt Design Group to increase the maximum contract award amount from \$1,000,000 to \$1,500,000.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-28)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, the First Amendment to the Agreement with Schmidt Design Group to increase the amount of compensation from \$1,000,000 to \$1,500,000, for As-Needed Landscape Architectural Design Services, contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasury, under the terms and conditions set forth in the First Amendment to the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,500,000, over five years for the purpose of funding the As-Needed Landscape Architectural Design Services Agreement and First Amendment with Schmidt Design Group, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Funding for the tasks will be funded by the CIP projects requiring these services.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On October 23, 2014, the City entered into an Agreement with Schmidt Design Group.

Gibson/Gomez

Primary Contact\Phone: Richard Leja\619-533-5112

Secondary Contact\Phone: Jim Shamloufard\619-533-3160

City Attorney Contact: Rae, Christina L.

* ITEM-105: Appointment to Civic San Diego Board of Directors.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-771)

Council confirmation of the following appointment by the Mayor, of a member of the Board of Directors of Civic San Diego, for a term ending as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Paola Avila (Bay Park, District 2) (Filling the vacancy in the seat previously held by Donna Jones, who resigned)	Economic Development	May 1, 2019

* ITEM-106: Appointments and Reappointments to the Consolidated Plan Advisory Board.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-40)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as members of the Consolidated Plan Advisory Board, for terms expiring as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Isela Ramos (Kensington, District 9) (Filling the vacancy in the seat previously held by Nohelia Patel)	Council District 9	July 1, 2018
Gary Wong (Scripps Ranch, District 5) (Filling the vacancy in the seat previously held by Earl Wong)	Council District 6	July 1, 2017
Richard Thesing (Tierrasanta, District 7) (Reappointment)	Council District 7	July 1, 2018
Joe LaCava (La Jolla, District 1) (Filling the seat previously held by Joyce Abrams)	Council District 1	July 1, 2017
Sara Berns (Pacific Beach, District 2) (Filling the vacancy in the seat previously held by Dr. Maruta Gardner)	Council District 2	July 1, 2018
Kenneth Malbrough (Valencia Park, District 4) (Reappointment)	Council District 4	July 1, 2017
Valerie Brown (Rancho Bernardo, District 5) (Reappointment)	Council District 5	July 1, 2017

- * ITEM-107: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2016-468)

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico, pursuant to California Government Code Section 8630;

Authorizing the Mayor, or his designee, to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage;

Declaring that the measures previously taken in accordance with Resolution Number R-282544 shall continue to have full force and effect.

PROCLAMATIONS/CEREMONIAL ITEMS

NOTE: The following Proclamations will be presented in Council Chambers and approved by Unanimous Consent unless pulled for discussion.

ITEM-30: City of San Diego Employee Appreciation Month.

PRESENTED BY MAYOR FAULCONER, COUNCIL PRESIDENT LIGHTNER, AND COUNCIL PRESIDENT PRO TEM EMERALD:

Proclaiming the Month of August 2016, to be "City of San Diego Employee Appreciation Month" in the City of San Diego.

ITEM-31: National Night Out Day.

PRESENTED BY COUNCILMEMBER ZAPF:

Proclaiming August 2, 2016, to be "National Night Out Day" in the City of San Diego.

ITEM-32: San Diego Blood Bank Month in the City of San Diego.

PRESENTED BY COUNCILMEMBER COLE:

Proclaiming August 2016, to be "San Diego Blood Bank Month" in the City of San Diego.

ITEM-33: This item has been removed from today's docket. (Rev. 7/27/16)

NOTE: The following Proclamations will NOT be presented in Council Chambers. They will be approved by Unanimous Consent unless pulled for discussion.

ITEM-34: Jeff Byroads Day.

COUNCILMEMBER SHERMAN'S RECOMMENDATION:

Proclaiming May 25, 2016, to be "Jeff Byroads Day" in the City of San Diego.

ITEM-35: Andrea Skorepa Palacios Day.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Proclaiming July 23, 2016, to be "Andrea Skorepa Palacios Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS:

None.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than 15 Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to speakers who have not addressed the legislative body during "Non-Agenda Public Comment" at the last regularly scheduled Council meeting.

MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:**

This item may be taken in the morning session if time permits.

ITEM-330: Proposed Amendments to Council Policy 700-22: City Ticket Policy. (Citywide.)

ITEM DESCRIPTION:

Approve the recommended changes to Council Policy 700-22.

TODAY'S ACTION'S IS:

Adopt the following resolution:

(R-2017-54)

Approving the Amendments to Council Policy 700-22 titled “Ticket Policy for Qualcomm Stadium, Petco Park and Other Tickets Provided to the City for Entertainment Purposes”;

Instructing the City Clerk to update the Council Policy Manual to include the amended Council Policy 700-22.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Rules Committee meeting on March 23, 2016.

ACTION: Motion by Councilmember Cate, second by Councilmember Kersey, to direct the City Attorney to draft language reflecting the following Amendments to the City's Ticket Policy: 1. Remove behest authority from all Councilmembers; 2. Consolidate behest authority under the Council President's Office; 3. Identify Council Administration as the "Ticket Coordinator" on behalf of the City Council; 4. Relocate non-profit organizations from Category 2 - Second Priority, subsection 6 to Category 1 - First Priority, subsection 1; 5. Draft language that includes community organizations and "Friends Groups"; 6. Include language to allow local chapters of organizations or groups to participate; 7. Limit tickets to one event every six months for non-profits, community organizations and "Friends Groups"; 8. Mandate the signing of a "Code of Conduct" form upon receipt of tickets for all recipients that could include a provision for reselling or transferring tickets for consideration pending legal review by the City Attorney; 9. Relocate City employees from Category 3 - Third Priority, subsection 3, to Category 1 - First Priority, subsection 9; 10. Include language to allow for the distribution of tickets to City employees via Administrative Regulation 95.91 should the Mayor's Office not participate in the program. And, ask the Executive Director of the City Ethics Commission to review the proposed policy changes before hearing at the City Council.

VOTE: 5-0; Lightner-yea, Cole-yea, Kersey-yea, Cate-yea, Emerald-yea.

Hauser

Primary Contact\Phone: Ian Clampett\619-533-6469
City Attorney Contact: Berry, Jennifer L.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE
READING AND ADOPTION WITH RESOLUTIONS TO BE ADOPTED:

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-331: Consideration of a Ballot Measure to Amend City Charter Section 55 related to the continued operation of San Diego High School at its current location on dedicated parkland, subject to Agreement with the City. (District 3.)

ITEM DESCRIPTION:

Request that the City Council adopt the ordinance in Subitem A to place on the November 8, 2016, Municipal Special Election ballot a measure to amend the City Charter related to the continued operation of San Diego High School at its current location on dedicated parkland, subject to Agreement with the City; and adopt the resolution in Subitem B, directing the preparation of related ballot materials.

TODAY'S ACTION'S ARE:

Introduce and adopt the ordinance; and adopt the resolution:

Subitem-A: (O-2017-18)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego, for their approval or rejection at the Municipal Special Election, consolidated with the California State General Election to be held on November 8, 2016, one measure amending the City Charter by amending Article V, Section 55, relating to Park and Recreation.

NOTE: This item is not subject to the Mayor's veto.

Subitem-B: (R-2017-46)

Directing the City Attorney to prepare a ballot title and summary, and an impartial analysis, of the proposed ballot measure for inclusion in the voter pamphlet and to deliver the ballot title and summary, and the impartial analysis, to the Office of the City Clerk, Elections Section, no later than August 22, 2016;

Directing the Independent Budget Analyst, working with the Mayor (or the Mayor's designee) and the City Auditor, to prepare a fiscal impact analysis of the proposed ballot measure for inclusion in the voter pamphlet and to deliver the analysis to the Office of the City Clerk, Elections Section, no later than August 22, 2016;

Authorizing _____ to sign and file a written ballot argument in _____ the ballot measure for inclusion in the voter pamphlet, and to deliver the argument to the Office of the City Clerk, Elections Section, no later than August 25, 2016.

NOTE: This item is not subject to the Mayor's veto.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$4,173,583 is budgeted under Citywide Program Expenditures for the November 2016 election. The final cost will be impacted by the total number of ballot measures approved for the ballot and is unknown at this time.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard by the City Council on June 14, 2016.

The Council voted to direct City Attorney to prepare a ballot measure amending Charter Section 55, and conduct any related legal analysis and return to the City Council with an ordinance that would place the measure on the November 8th ballot.

Knowles

Primary Contact\Phone: Kevin Smith\619-236-6688

Secondary Contact\Phone: Ansermio Estrada\619-236-6688

City Attorney Contact: Ferbert Heather M. and Spivak, Sharon B.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-332: Request for authorization to sell 540 W. Laurel Street and 2513/2515 Union Street to Nakhshab Development and Design, Inc., and pay real estate broker commission. (Uptown Community Area. District 3.)

ITEM DESCRIPTION:

Authorize the Mayor, or his designee, to sell 540 W. Laurel Street and 2513/2515 Union Street, APN 533-072-18 (the "Property") for \$2,500,000 to Nakhshab Development and Design, Inc., and pay a real estate broker commission to CBRE based on a percentage of the final sale price for the property. (Rev. 7/29/16)

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2017-48 Cor. Copy) (Rev. 7/29/16)

Authorizing the Mayor, or his designee, to sell that certain 0.68 acres of improved real property located at 540 W. Laurel Street and 2513/2515 Union Street, identified as Assessor's Parcel Number 533-072-18 (Property), to Nakhshab Development and Design, Inc., a California Corporation, or its assignee, for \$2,500,000 and to execute a purchase and sale agreement, grant deed, and any other documents and agreements necessary to complete the sale of the Property; (Rev. 7/29/16)

Declaring that the Purchase and Sale Agreement for the Property shall include terms and conditions that include requiring Nakhshab to complete the nomination process for designation of the Truax House as an historical resource; and, as applicable, require that Nakhshab shall comply with the provisions of the City's Land Development Code, Historical Resources Regulations and Guidelines to determine consistency with the U.S. Secretary of the Interior Standards for the Treatment of Historic Properties, and all other applicable laws and regulations, in preserving, maintaining, and rehabilitating the Truax House;

Declaring that upon completion of the sale, the City may pay a real estate broker commission related to the sale of the Property in an amount not to exceed 4% of the purchase price, which payment shall be made in compliance with San Diego Municipal Code Section 22.0905; (Rev 7/29/16)

Authorizing the Chief Financial Officer to accept and deposit the proceeds of the sale, net of costs, into Fund 200118 the Special Gas Tax Street Improvement Fund and pursuant to San Diego Charter Section 77, that the use of the proceeds from the sale shall be restricted to Gas Tax eligible capital projects.

Subitem-B: (R-2017-47)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15312, 15325 and 15331, and that an exception to the exemption does not apply; and that Project is also exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3);

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply;

Directing the City Clerk to file a Notice of Exemption the Project with the Clerk of the Board of Supervisors for the County of San Diego.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Proceeds from the sale, net of costs related to the sale, will be deposited into Special Gas Tax Street Improvement Fund 200118. Per the City Comptroller, pursuant to City Charter Section 77, the proceeds from the sale of this property will be used for Gas Tax eligible capital projects.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

An informational item regarding Excess Property Sales was presented to the Smart Growth and Land Use Committee on June 10, 2015.

This item was heard at the Smart Growth and Land Use Committee meeting on February 10, 2016 (Item No. 4 “Sell 4 Excess City Properties...”) and the three other properties will be presented to Council in a separate action. Committee recommended that Council authorize the sale after 1) a historical analysis of the property, 2) determine whether proceeds from the sale can help fund in part a new park and signs, 3) determine feasibility of naming an Uptown park after Dr. Brad Truax, 4) determine whether money from the gas tax can be used to fund an AIDS memorial.

This item was heard at City Council on April 12, 2016, Item 330 and Council recommended to adopt staff’s recommendation with the amendment to market the property for sale and to return to Council with the proposed sale for review and approval.

Thompson/Villa

Primary Contact\Phone: Mary Carlson\619-236-6079, MS 51A

Secondary Contact\Phone: Cybele Thompson\619-236-6145, MS 51A

City Attorney Contact: Ables, Melissa D.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-333: Silvergate Rancho Bernardo, Project No. 425893. (Rancho Bernardo Community Plan Area. District 5.)

ITEM DESCRIPTION:

Approval of actions necessary for the construction of a 200-unit residential care facility to include 152 assisted living units and 48 memory care units on a 10.88-acre site located at 16061 Avenida Venusto within the RS-1-14 Zone within the Rancho Bernardo Community Plan Area.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2017-30)

Adoption of a Resolution certifying that the Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project;

Adopting findings on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment;

Adopting the Mitigation, Monitoring, and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, pursuant to CEQA Section 21081.6, which is attached hereto as Exhibit A;

Declaring that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the City Clerk, 202 C Street, San Diego, CA 92101;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

NOTE: Subitem A is not subject to the Mayor's veto.

Subitem-B: (R-2017-29)

Adoption of a Resolution adopting the amendment to the General Plan, a copy of which is on file in the Office of the City Clerk;

Adopting the amendments to the Rancho Bernardo Community Plan, a copy of which is on file in the office of the City Clerk.

NOTE: Subitem B is not subject to the Mayor's veto.

Subitem-C: (R-2017-31)

Adoption of a Resolution adopting the findings with respect to Planned Development Permit (PDP) No. 1498311, Site Development Permit (SDP) No. 1498312, and Conditional Use Permit (CUP) No. 1498313, which are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting Planned Development Permit No. 1498311, Site Development Permit No. 1498312, and Conditional Use Permit No. 1498313 to AmeriCare Health & Retirement Inc., Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this Resolution.

NOTE: Subitem C is not subject to the Mayor's veto.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None with this action. All cost associated with the processing of this project are paid from a deposit account maintained by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

None with this action.

Lowe/Graham/wz

Primary Contact\Phone: William Zounes\619-687-5942, MS 501
Secondary Contact\Phone: Sandra Teasley\619-446-5271, MS 501
City Attorney Contact: Thomas, Shannon

This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-334: St. Andrews Tentative Map, Project No. 360649. (Otay Mesa Community Plan Area. District 8.)

ITEM DESCRIPTION:

Tentative Map with Vacation of Irrevocable Offer of Dedication and Site Development Permit to subdivide the 16.66-acre project site into six lots for the future development of individual light industrial uses, and to allow construction of a public roadway extension, street and utility improvements, and on-site bio-retention basins. The site is located south of Otay Mesa Road, north of State Route (SR) 905, east of Ailsa Court and between the eastern and western portions of St. Andrews Avenue within the IL-3-1 (Industrial-Light) Zone and Community Plan Implementation Overlay Zone (CPIOZ) Type A of the Otay Mesa Community Plan area.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-2017-33)

Adoption of a Resolution adopting the following findings with respect to Site Development Permit No. 1452419:

1. Site Development Permit – San Diego Municipal Code (SDMC) Section 126.0504
2. Supplemental Findings – Environmentally Sensitive Lands

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting Site Development Permit No. 1452419 to Gregg Hamann, Trustee of Gregg Hamann Family Trust and Jeffery C. Hamann, Trustee of the J.C. Hamann Trust Family Trust, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this Resolution.

NOTE: Subitem A is not subject to the Mayor's veto.

Subitem B: (R-2017-32)

Adoption of a Resolution adopting the following findings with respect to Tentative Map No. 1279297:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan;
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code;
3. The site is physically suitable for the type and density of development;
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare;
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities;
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The above findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference;

Vacating portions of St. Andrews Avenue, located within the project boundaries as shown in Tentative Map No. 1279297, contingent upon the recordation of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

9. There is no present or prospective use for the public right-o-way, either for the purpose which it was originally acquired, or for any other public use of a like nature that can be anticipated. (SDMC Section 125.0941(a);
10. The public will benefit from the vacation through improved use of the land made available by the vacation;
11. The vacation does not adversely affect any applicable land use plan. (SDMC Section 125.0941(c)
12. The public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation. (SDMC Section 125.0941(d).

Granting Tentative Map No. 1279297 and Public Right-of-Way Vacation, based on the Findings hereinbefore adopted by the City Council, to Gregg Hamann, Trustee of Gregg Hamann Family Trust and Jeffery C. Hamann, Trustee of the J.C. Hamann Trust Family Trust subject to the attached conditions which are made a part of this Resolution by reference.

NOTE: Subitem B is not subject to the Mayor's veto.

Subitem-C (R-2017-35)

Adoption of a resolution adopting an addendum to Environmental Impact Report (EIR) No. 30330/304032 and Mitigation, Monitoring, and Reporting Program for St. Andrews;

Reviewing and considering, by the City Council prior to making a decision on the Project, that the information contained in the final Environmental Impact Report No. 30330/304032 along with the Addendum thereto, including any comments received during the public review process;

Proposing that there are no substantial changes to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the EIR for the Project;

That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Environmental Impact Report or that any significant effects previously examined will be substantially more severe than shown in the Environmental Impact Report;

That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt;

That pursuant to California Environmental Quality Act of 1970 (CEQA) Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the City Council adopts Addendum to Environmental Impact Report No. 30330/304032, SCH NO. 2004651076 with respect to the Project, a copy of which is on file in the office of the Development Services Department;

That pursuant to CEQA Section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

NOTE: Subitem C is not subject to the Mayor's veto.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On June 30, 2016, the Planning Commission voted 6-0-1 to recommend approval of the project with an additional condition. On March 18, 2015, the Otay Mesa Planning Group voted 12-0-1 to recommend approval of the project with no additional conditions.

Vacchi\Graham\td

Primary Contact\Phone: Tim Daly\619-446-5356, MS 501

City Attorney Contact: Thomas, Shannon

This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-335: Modification of the San Diego Tourism Marketing District and Management Plan.
(Citywide.)

NOTE: First heard at the meeting of June 28, 2016, Item 341.

ITEM DESCRIPTION:

This item is for the modification of the San Diego Tourism Marketing District [District] and Management Plan and requires two Council dates in order for Council to consider such modification including these steps: first, that the City Council declares to modify the District and Management Plan, and causing a notice to be mailed, then second, holding a public hearing on August 2, 2016, considering protests, and then modifying the District and Management Plan and affirming certain assessments shall continue to be levied, and authorizing the creation of a new Fund to receive the assessments.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-741 Cor. Copy 2)

Adoption of a Resolution approving the modifications and the Modified District Plan, which modifies the District to eliminate from the District and assessment those lodging businesses with fewer than 70 rooms and makes other modifications consistent with and necessary to accomplish the elimination of lodging businesses with fewer than 70 rooms;

Declaring the rate of assessment will continue at two percent (2%) in total for lodging businesses with 70 or more rooms within the District, and the District boundaries shall remain the same;

Authorizing the Chief Financial Officer to establish an interest-bearing fund for the District, as modified.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Modification of the existing District would generate around \$33.8 million dollars of assessments annually rather than the Fiscal Year 2017 estimate of \$38.4 million dollars. The assessments would continue to be disbursed to the non-profit except for the amount retained by the City for cost recovery and any required reserves. Notwithstanding any successful legal challenges, the modification will not result in any net financial impact to the City. Successful implementation of Tourism Marketing District (TMD) programs is intended to increase room night stays and generate an undetermined amount of additional TOT for the City. TOT funding of around \$10M traditionally provided by the City annually for activities to increase room night stays would continue to be saved.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The TMD was renewed by Council on November 26, 2012, by Resolution R-307843. The District Management Plan was submitted to Council during the renewal in 2012 and a copy is on file in the Office of the City Clerk as Document RR-307843. This item was heard by the ED&IR Committee on June 16, 2016, with a motion to support the staff recommendation. The Resolution of Intention to modify the District and Management Plan, (Resolution R-310581), was adopted by Council on June 28, 2016.

Caldwell\Graham\mdb

Primary Contact\Phone: Meredith Dibden-Brown\619-236-6485, MS 56 D
City Attorney Contact: Wander, Adam

This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-336: Fiscal Year 2016 Mira Mesa Public Facilities Financing Plan. (Mira Mesa Community Plan Area. District 6.)

NOTE: First heard on July 19, 2016, Item S500.

ITEM DESCRIPTION:

Adoption of a Resolution ordering the designation of an area of benefit in Mira Mesa and the boundaries thereof and establishing the amount of the facilities benefit assessment against each parcel within the area of benefit.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-2017-49)

Adoption of a Resolution of the approving the Development Impact Fee (DIF) schedule for properties within Mira Mesa;

Declaring that the assessment fee schedule contained in the Financing Plan is the appropriate and applicable DIF schedule for all development within the Mira Mesa area that has either never been assessed under the Financing Plan or has not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council;

Declaring that effective sixty days from the date of final passage of this Resolution, all DIFs due under the Financing Plan shall be those fees in effect at the time building permits or construction permits are issued, in accordance with San Diego Municipal Code Section 142.0640;

Declaring that the DIFs due shall not increase in accordance with San Diego Municipal Code Section 142.0640, but shall automatically increase annually in accordance with the Financing Plan until a new DIF is adopted;

Declaring that the Financing Plan is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code Section 66025, for imposition of development impact fees;

Directing the Chief Financial Officer to establish an interest bearing fund for the Mira Mesa Development Impact Fee.

Subitem B: (R-2017-50)

Adoption of a Resolution ordering the designation of an area of benefit in Mira Mesa and the boundaries thereof and establishing the amount of the facilities benefit assessment against each parcel within the area of benefit;

Declaring that the foregoing recitals are true and correct and incorporated fully herein by this reference;

Declaring that the Financing Plan is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code Section 66025, for imposition of the facilities benefit assessment fees;

Ordering the designation of the area of benefit as identified in the Financing Plan;

Ordering the establishment of the facilities benefit assessment against each parcel within the area of benefit as identified in the Financing Plan, effective sixty days from the date of final passage of this Resolution;

Authorizing and directing the Mayor to prepare a map of the boundaries of the area of benefit based on this Resolution and to file the map with the City Clerk in accordance with the provisions of San Diego Municipal Code Section 61.2209(a);

Authorizing and directing the City Clerk to record the map of the boundaries of the area of benefit in the Office of the County Recorder of the County of San Diego in accordance with the provisions of San Diego Municipal Code Section 61.2209(a);

Authorizing and directing the City Clerk to execute and record a Notice of Assessment in the Office of the County Recorder of the County of San Diego in accordance with the provisions of San Diego Municipal Code Section 61.2209(b);

Authorizing and directing the Chief Financial Officer to transfer, appropriate, and expend the subject facilities benefit assessment funds as necessary to ensure timely payment of all Mira Mesa public facilities projects identified in the Financing Plan.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Adoption of a Resolution designating an area of benefit for a Facilities Benefit Assessment (FBA) in Mira Mesa, along with the previous approval of the FY 2016 Mira Mesa Public Facilities Financing Plan, will continue to provide a funding source for the public facilities identified in the Mira Mesa Public Facilities Financing Plan.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The FY 2016 Mira Mesa Public Facilities Financing Plan was approved at Infrastructure Committee on May 23, 2016, and by City Council on June 21, 2016. A Resolution of Intention to designate an area of benefit in Mira Mesa was approved by Council on July 19, 2016, RR-310613. The original Resolution of Intention approved on June 21, 2016, RR-310560 was returned to staff on July 19, 2016.

Murphy/Graham/aa

Primary Contact\Phone: Angela Abeyta\619-533-3674, MS 606F

Secondary Contact\Phone: Marco Camacho\619-235-5216, MS 606F

City Attorney Contact: Halsey, Keely M.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT